




Frank J. Otte
United States Bankruptcy Judge

1. UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)	
)	
GARY LEE MCCARTIN and)	CASE NO. 09-93972-FJO-7
DONNA RUTH MCCARTIN)	
)	
Debtors)	
_____)	
)	
DAVID M. ROTH, MARSHA B. ROTH and)	
WEST BROAD DEVELOPMENT, LLC)	Adversarial Proceeding No.10-59014
)	
Plaintiffs)	
v.)	
)	
GARY L. MCCARTIN)	
DONNA RUTH MCCARTIN)	
Defendants)	

ENTRY GRANTING PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT

The Court hereby incorporates by reference the Findings of Fact and Conclusions of Law entered simultaneously herein and hereby grants the motion for summary judgment filed by the Plaintiffs and that judgment be entered in favor of the Plaintiffs. Based therefore, this Court ORDERS that Judgment be entered in favor of the Plaintiffs based upon the decision of the

Arbitrator dated February 27th, 2008 and Judgment of the Jefferson Circuit Court dated June 4, 2008 reflecting that \$222,163.82 at the rate of 8% per annum from February 1, 2008 until March 1, 2008 and 12% thereafter until paid are deemed nondischargable pursuant to 11 U.S.C. §523(a)(4). Interest shall continue to accrue as specified therein until the Award and Judgment are fully satisfied.

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